

REMARKS

In accordance with the foregoing, claims 1, 15, and 22 are amended and new claims 34-37 are presented. No new matter is being presented, and approval and entry of the amended claims and new claims are respectfully requested.

Claims 1, 11, 15, 20, 22, 27, and 34-37 are pending and under consideration. Reconsideration is respectfully requested.

FINALITY OF CURRENT REJECTION SHOULD BE WITHDRAWN AS PREMATURE OR ALTERNATIVELY AMENDMENT SHOULD BE ENTERED UNDER 37 CFR §1.116

Applicants respectfully request that the finality of the current rejection be withdrawn or alternatively entry of this Rule §116 response.

In item 3 of the Office Action, the Examiner has rejected claims 1, 11, 15, 20, 22 and 27 under 35 U.S.C. §112, second paragraph, as being indefinite and contends that "the metes and bounds of the claimed subject matter (is) impossible to determine." (Emphasis added, Action at page 2).

However, regardless of this statement the Examiner further examined the claims so as to finally reject claims 1, 11, 15, 20, 22, and 27 under 35 U.S.C. §103(a) as being obvious over newly-cited Okura (U.S.P. 5,829,003) in view of newly-cited art Fethe (U.S.P. 5,926,794).

Claims 1, 15, and 22 are amended herein to address the Examiner's concerns and overcome the 35 U.S.C. §112, second paragraph rejection. Newly-presented dependent claims 34-37 merely recite features deleted from independent claim 22 so as to assist to the Examiner in specifying the metes and bounds of the claims.

Accordingly, Applicants respectfully request that the finality of the present rejection be withdrawn and the amendment entered.

Alternatively Applicants request entry of this Rule §116 response because it is believed that the amendment of claims 1, 15, and 22 puts this application into condition for allowance and should not entail any further search by the Examiner since no new features are being added.

ITEM 3: REJECTION OF CLAIMS 1, 11, 15, 20, 22 AND 27 UNDER 35 U.S.C. §112, SECOND PARAGRAPH, AS BEING INDEFINITE

In item 3 of the Office Action, the Examiner has rejected claims 1, 11, 15, 20, 22 and 27 under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner contends the claims, are "prolix: comprising such a long recitation of unimportant details as to make the metes and bounds of the claimed subject matter impossible to determine." (Action at page 2).

Independent claims 1, 15, and 27 are amended within for form only. Applicants submit that

claims 1, 11, 15, 20, 22 and 27, all as amended, comply with 35 U.S.C. §112, second paragraph and request withdrawal of the rejection.

ITEMS 5-8: REJECTION OF CLAIMS 1, 11, 15, 20, 22, AND 27 UNDER 35 U.S.C. §103(a) AS BEING OBVIOUS OVER OKURA IN VIEW OF FETHE

Independent claims 1, 15, and 22, all as amended herein, respectively recite a computer system, a computer-readable storage, and an information providing method, using claim 22 as an example, including "transmitting first display information to a terminal of one client, the first display information comprising: a first image to identify said one client, and a plurality of second images to identify other clients, wherein each of the other clients belong to a same genre that was preregistered by said one client; receiving, from said terminal of said one client, information indicating selecting of an image from said first display information; upon the received information indicating one of the plurality of second images being selected, forming second display information comprising information about said other client identified by the selected second image and prompting the one client to input a comment to said other client; and upon the received information indicating the first image, which identifies the one client themselves, being selected, forming second display information prompting the one client to request a comment from an expert in said genre."

The Action concedes that Okura does not teach:

requesting and storing comment from one client to another client; and transmitting an inquiry to and a responding comment from an expert in said genre registered in advance.

However, the Examiner rejects claims 1, 11, 15, 20, 22, and 27 under 35 U.S.C. §103(a) as being obvious over Okura in view of Fethe. The Examiner contends that Fethe teaches:

a performance appraisal system where employees act as experts to rate each other . . . which reads on requesting and storing a comment from one client to another client, and transmitting an inquiry to and a responding comment from an expert in said genre registered in advance.

Thus, the Examiner concludes that:

(b)ecause Okura teaches accessing employee personal information . . . and performance appraisals are a important type employee personal information, it would have been obvious . . . to add the teachings of Fethe to those of Okura.

The rejection is traversed.

Features Recited By Independent Claims Not Taught By Cited Art

Applicants submit that that the cited art, alone or in combination, does not teach features recited by each of the independent claims. Using claim 22, as amended herein, as an example, a method, according to an aspect of the present invention includes that "upon the received information indicating the first image, which identifies the one client themselves, being selected,

forming second display information prompting the one client to request a comment from an expert in said genre."

Such an action that is dependent upon a condition of identification is not taught by the cited art alone or in combination.

That is, the none of the art, alone or in combination, teach a condition that upon selecting oneself as an image there is a "prompting the one client to request a comment from an expert in said genre," according to an aspect of the present invention.

Rather, Fethe merely teaches that (see for example col. 1, lines 35-40):

it is useful to utilize a fellow expert employee as a rater so that the supervisor can more easily assess the employee's work.

Applicants submit that even an *arguendo* combination of Okura and Fethe merely teaches that one of the other clients that can be communicated with is an expert.

No Motivation To Combine The Art In A Manner As The Examiner Contends

Applicants also submit there is no motivation or reasonable chance of success to modify the cited art in a manner as the Examiner contends. As set forth in MPEP §2144. 04:

(t)he mere fact that a worker in the art could rearrange the parts of the reference device . . . is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation . . . without the benefit of appellant's specification, to make the necessary changes in the reference device.

Okura merely teaches editing of an organization chart. Okura does not teach applications of a performance appraisal system for such employees. Fethe merely teaches a visual scoring model.

Applicants submit that there is no motivation or suggestion in Okura or Fethe, and separate from the present application, to combine the cited reference each other in a manner as the Examiner contends.

Features Taught By Dependent Claims Not Taught By Cited Art

Further, dependent claims 11, 20, and 27 recite features not taught by the cited art. Claims 11, 20, and 27 using claim 11 as an example, recite "means for receiving another request of said first display information from said terminal of said one client; means for shuffling said locations of said first image and said second images; and means for transmitting shuffled first display information in which said locations of said first image and said second images are shuffled to said terminal of said one client (emphasis added)."

Neither Okura nor Fethe teach shuffling locations of a first image and a second image. Rather, Okura merely teaches that (see, for example, Abstract):

(w)hen a user designates "move" or the like to an employee or a department/section on the organization chart through an input unit, an organization chart editing processing program executes this designation and changes the organization chart. The change contents are reflected on the personnel database.

That is, Okura teaches that a location of the employee on the organization chart is associated with the personnel database.

However, Fethe does not teach an organization chart. Thus, Applicants submit that one of ordinary skill in the art would not modify Okura with Fethe so as to shuffle the location of employee information at a predetermined time interval.

Summary

Since *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1, 11, 15, 20, 22, and 27 allowed.

NEW CLAIMS

New claims 34-37 recite features deleted from independent claim 22 in the current amendment. No new matter is being presented, and approval and entry of the new claims are respectfully requested.

Applicants submit that claims 34-37 patentably distinguish over the cited art for the features recited therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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